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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

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11 EUKOR CAR CARRIERS INC.,)
12 Plaintiff(s),) No. C10-0408 BZ
13 v.)
14 CHEMOIL CORPORATION,) **ORDER FOR SUPPLEMENTAL
15 Defendant(s).) BRIEFING**
16 _____)

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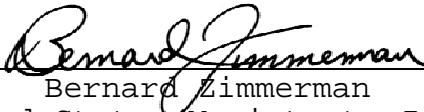
18 By Thursday, April 8, 2010, Eukor shall file a
19 supplemental brief limited to 5 pages addressing only the
20 following two issues:

21 1. The relationship between Eukor and Wilhelmsen
22 including an explanation for why Eukor appears on Wilhelmsen's
23 website as averred by Mr. Tolson.

24 2. Eukor's standing to bring this action if the Court
25 concludes that it is not a party to the contract between
Wilhelmsen and Chemoil, as Eukor asserts, given the rule
27 established in Robins Dry Dock & Repair Co. v. Flint, 275 U.S.
28 at 309, 48 S.Ct. 134 (citations omitted) and recently affirmed

1 by the Ninth Circuit in Nautilus Marine, Inc. v. Niemela, 170
2 F.3d 1195, 1196 (9th Cir. 1999).

3 Dated: April 5, 2010

4 
5 Bernard Zimmerman
6 United States Magistrate Judge

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